



THE CITY OF NEW YORK
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(not for service)

January 12, 2024

VIA ECF

Hon. Loretta A. Preska
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York

Re: LV v. NYC Dep't of Education, et al., 03 Civ. 9917 (LAP)

Dear Judge Preska:

This office represents Defendants in the above-referenced action. I write to request an extension of time for Defendants' to respond to Plaintiffs' letter to Your Honor dated December 21, 2023. (ECF No. 334).

In their letter, Plaintiffs expressed concerns about the Special Master's findings regarding the impact that the lack of available funds has had, and is anticipated to have, on DOE's ability to timely meet certain of its obligations under the Court's Order of July 16, 2023. Your Honor directed Defendants and the Special Master to address those concerns by January 16, 2024 (ECF No. 335). With the consent of Plaintiffs' counsel and the Special Master, Defendants now respectfully request that their time to respond be extended to January 31, 2024.

The Mayor's Preliminary Budget is scheduled to be released on January 16, 2024, the same day Defendants currently are required to respond to Plaintiff's letter. That Preliminary Budget will provide Defendants with information as to how much of DOE's "new needs" request to the Office of Management and Budget was approved and how much is budgeted for next fiscal year. Having this information and a more definitive financial picture will allow Defendants to consider how it will allocate its funds so as to meet the Order's obligations and how to respond to Plaintiff's letter.

For the foregoing reasons, Defendants respectfully request that their response to Plaintiff's letter be extended to January 31, 2024, so as to allow DOE time to review the Preliminary Budget and OMB's anticipated response to its new needs request and prepare an appropriate response. I have consulted with Plaintiffs' counsel and the Special Master, both of whom consent to this request.

Thank you for your consideration of the foregoing.

Respectfully,


/s/ Jeffrey S. Dantowitz

Jeffrey S. Dantowitz
Assistant Corporation Counsel

cc: All counsel of record
David Irwin, Special Master
(all via ECF)

Defendants shall have until January 31, 2024, to
respond to Plaintiffs' letter, dkt. no. 334.

SO ORDERED.



LORETTA A. PRESKA, U.S.D.J.
01/12/2024